

IN THE CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

BENJAMIN SCHORGHOFER AND
DALLAS PARVIN

VS.

RONALD STRICKLAND AND
ROBERT BEARDEN, INC.

FILED
JAN 07 2019
CONNIE LADNER
CLERK
BY *[Signature]* D.C.

PLAINTIFF

CAUSE NO.:

A2401-19-4

DEFENDANTS

COMPLAINT

NOW INTO COURT, through undersigned counsel, come the Plaintiffs, Dallas Parvin and Benjamin Schorghofer, by and through their attorney of record, who files this Complaint against the Defendants, RONALD STRICKLAND and ROBERT BEARDEN, INC., and shows this honorable court that:

I.

Benjamin Schorghofer and Dallas Parvin are persons of majority and domiciled in the State of Mississippi.

II.

Defendant, Ronald Strickland, upon information and belief, is a resident of Georgia, who may be served with process at 3978 Countyline Road, Thomasville, GA 31792, or wherever he may be found.

III.

Defendant, ROBERT BEARDEN, INC., is a foreign corporation and may be served through its registered agent, Corporation Service Company, at 40 Technology Parkway South #300, Norcross, GA 30092.

IV.

This cause of action occurred or accrued in Harrison County, Mississippi; and pursuant to the provisions Miss. Code Ann. §11-11-3, as amended, venue is proper in this Court.

V.

That on or about August 13, 2018, at approximately 2:06 p.m., and at all times hereinafter mentioned, Plaintiff, Benjamin Schorghofer, was traveling east in the right lane of I-10, towing a vehicle that Plaintiff, Dallas Parvin was occupying, when Dallas Parvin's vehicle was struck from behind by the Defendant and pushed into Benjamin Schorghofer's vehicle.

VI.

Defendant, Ronald Strickland was operating a 2017 Volvo semi truck, traveling east in the right lane of I-10, when he struck the rear of Plaintiffs' vehicles. His actions and/or inactions caused or contributed to the subject incident.

VII.

The aforesaid collision sued on herein was the fault of, and proximately caused by the negligence, gross negligence, and/or recklessness of Defendant, Ronald Strickland, in the following, non-exclusive respects:

- a. By failing to maintain reasonable and proper control of said vehicle upon a public road;
- b. In operating the vehicle in an improper, unsafe, negligent, and negligent manner;
- c. In failing to see what should have been seen;
- d. In failure to keep proper lane;
- e. By traveling too fast for conditions existing;
- f. In following too closely;
- g. In violating the Rules of the Road, all of which are pled as if copied herein in extenso;

- h. All other acts of negligence and/or gross negligence, which were the cause of the collision sued upon and will be shown at the trial of this matter.

VIII.

Ronald Strickland, was acting in the course and scope of his employment with Defendant, Robert Bearden, Inc. and is vicariously liable for his actions and inactions through the doctrine of *Respondeat Superior*. Additionally, Robert Bearden may also be liable for the separate negligent acts of improper hiring, training, supervision, and retention of Ronald Strickland.

IX.

That as a result of the aforesaid collision, Plaintiff, Benjamin Schorghofer has sustained bodily injuries, including, but not limited to his: head, neck, back, left arm, left leg, and any other complaint referenced in his medical records.

X.

That as a result of the aforesaid collision, Plaintiff, Dallas Parvin has sustained bodily injuries, including, but not limited to his: head, abdomen, chest, neck, back, left leg, and any other complaint referenced in his medical records.

XI.

As a result thereto, the Plaintiffs have suffered the following damages: bills for medical treatment, past and future; physical pain and suffering including loss of enjoyment of life, past and future; lost wages, past and future; and mental and emotional distress, past and future.

XII.

Plaintiffs shows that they are entitled to a trial by jury on all issues raised herein, and prays for a trial by jury on all issues raised herein.

WHEREFORE, Benjamin Schorghofer and Dallas Parvin pray that each Defendant, be served with a copy of this Complaint, and after being duly cited to appear and answer hereto, and after the expiration of all legal delays and due proceedings are had, that there be judgment rendered herein in favor of Plaintiffs, and against Defendants, Ronald Strickland and Robert Bearden, Inc., as alleged, together with legal interest, and for all costs of these proceedings including expert witness fees to be taxed as costs of court, attorney's fees, and for all legal and equitable relief this honorable court shall deem appropriate. Further, a **TRIAL BY JURY** is requested on all issues raised herein.

RESPECTFULLY SUBMITTED, this the 3rd day of January, 2019.

BY: 
RYAN J. CANON (MSB# 103296)

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